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OCT 17 2012

DEPARTMENT OF  
WATER RESOURCES

From: Kirby A. Jensen  
2781 N 3375 W  
Moore, Idaho 83255

To: Nick Miller  
Department of Water Resources  
PO Box 83270  
Boise, Idaho 83270-0098

October 15<sup>th</sup> 2012

Dear Nick,

Previously we've discussed establishment of reasonable ground water pumping levels in the Big Lost River Basin. As per your request for a written inquiry of the subject, this letter is written.

Idaho Code 42-226, which was first enacted in 1951, states in part, "Prior appropriators of underground water shall be protected in the maintenance of reasonable ground water pumping levels".

It is my understanding that no reasonable ground water pumping levels have been established in the Big Lost River Basin, which would seem to indicate that currently, prior appropriators of underground water have no protection as provided for in the above mentioned law.

In the near future, may we discuss the establishment of reasonable ground water pumping levels in the Lost River Basin, or how would you like to proceed with this issue?

Sincerely,

A handwritten signature in dark ink, appearing to read "Kirby A. Jensen", written over a horizontal line.

Kirby A. Jensen